



MEMORANDUM

TO: James W. Smith, Jr., Coordinator of Mined Land Development
FROM: Thomas N. Tetting, Engineering Geologist *[Signature]*
SUBJECT: Presentation of Updated Material for the November Board Hearing
DATE: November 14, 1983

In order to provide you with the most up-to-date information to present to the Board at the November 17, 1983 hearing in Vernal, the following material has been assembled and summarized in this memo.

1. Robert J. Barnes--DOE/019/024. DOE file included.
 2. Enercor--DOE/047/011, PRO/047/011 and EXP/047/024. All files and MRP's included.
 3. S and S Mining Company's Red Rock Mine ⁰⁵⁰ACT/037/024. File included.
1. The Robert Barnes situation is still in a nebulous state. Although the determination of the Board in the October Hearing was an attempt to relegate responsibility for reclamation to various parties involved in the case, action by the individuals concerned has been slow. After the October Hearing, a pre-design conference was held with Mr. Barnes and wife which also included the Department of Health. All procedures for development of a Mining and Reclamation Plan (MRP) were discussed as were State Department of Health sampling and testing requirements. Mr. Barnes indicated he saw no problems acquiring a bond nor testing for certain parameters regarding soil-gravel conditions. He thought that he could have an initial report to the Division by the next Board Hearing (November) and possibly a MRP by the end of the month.

However, as of Thursday, November 10, Mr. Barnes indicated in a telephone call that he was unhappy with a November 2, 1983 letter from the Department of Health which outlined in writing their concerns for starting a new operation. The letter was not substantially different than the material gone over at the pre-design conference.

Mr. Barnes also said he was meeting with a Moab banker to discuss bonding and was at the same time trying to sell the claims to get out from under the whole thing.

Nothing substantial has been submitted at this time. The Division staff is waiting for a delineation by Mr. Barnes of his proposed interests and future planned disturbances prior to assessing reclamation responsibility for the existing disturbed area.

As a final note, at this time, Mr. Barnes relayed the addresses of Ray Branscom in Moab and Howard Davidson in Orem. He also stated that Mr. Davidson was hauling placer ore fines to Orem from some new unpermitted area near Cisco. It is hoped that by the December Board Hearing a MRP will be under review at the Division. If it is not, additional action by the Board may be required.

2. The Enercor operation near Rainbow, Utah, is a combination exploration and two-acre exempted mining operation. The proposed full scale plan was also submitted to the Division for review October 14, 1983. Cooperation with the Division of State Lands and Forestry has been necessary because of State leases involved.

Apparently, a decision has been made to not go ahead with the scheduled mining. State Lands has required immediate reclamation by the company. The exempted mining location is easily accessible on a new road and the two plus acres include; the pit, ore stockpile, cleared storage area; road; and a small cleared perimeter surrounding the south and western edges of the site. Reclamation should be fairly straight forward.

Several existing exploration sites are still thought to be unreclaimed. 1981 drill holes were re-entered in 1983 and because they were inspected this year should be plugged and reclaimed at this time. Close attention by the Division of State Lands should alleviate future problems with this operation.

3. The S and S Mining Company, long a confused collection of widely scattered interests (two legal offices, T S and R mine operators, Robin Graff, consultant, Lee Yockey, Banker and bonding agent and Clayton Stocks, owner) will have the end of their 30-day publication period come up in the first week of December. By that time, final analyses of soils materials should be submitted by Terra-Tek Labs and completion of the other four October 14, 1983 Division conditions placed on the company should be reviewed by the Division. All material was mailed to the Division on Thursday November 10, 1983. A temporary surety arrangement has already been made for the existing operation (\$15,000 escrow account). Final submittal of information to the Board should occur at the December Hearing.

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If all material has not been satisfactorily provided by Thanksgiving, it is my recommendation to call the company before the Board for action pursuant to Title 40-8-13 and 40-8-9 of the Mined Land Reclamation Act.

TNT/btb

Attachments